GOVERNMENT OF INDIA
LAW , JUSTICE AND COMPANY AFFAIRS
LOK SABHA

STARRED QUESTION NO:583
ANSWERED ON:08.05.2000
LAWS ON RAPE
GADDE RAMAMOHAN;RUDRAGOUDA PATIL

Will the Minister of LAW , JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether the Law Commission have recommended to the Government to make several changes in the existing laws dealing with sexual offences to make them more stringent and also to set up special courts to deal with such cases exclusively;

(b) if so, the details thereof;

(c) whether there is an urgent need to review the rape laws in the lights of increased incidents of custodial rape and child abuse in the country;

(d) if so, the time by which the necessary amendments in the existing laws are likely to be made; and

(e) if not, the remedial steps taken or proposed to be taken by the Government in this regard?

Answer

MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS

(SHRI RAM JETHMALANI)

(a) Yes, sir. The Law Commission has submitted 172nd Report in March, 2000.However, it has not suggested setting up of special courts to deal with sexual offences.

(b) The Law Commission in its 172nd Report has recommended the changes in sections 375, 376, 376A, 376B, 376C and376D of the Indian Penal Code, 1860 and also recommended insertion of new section 376E in the Indian Penal Code and amendment of section 509 of the Code. Similarly, in the Indian Evidence Act, 1872, the Law Commission has recommended modification of section 114A, the deletion of clause (4) of section 155 and insertion of sections 53A and 146(4).

(c) to (e) The recommendations of the Law Commission are proposed to be examined by the Government of India in consultation with the State Governments as Criminal Law and the Indian Evidence Act fall under the Concurrent List of the Seventh Schedule to the Constitution of India.